

REMARKS

In the present Amendment, Claim 1 has been amended to incorporate the subject matter of Claim 3. Claim 3 has been cancelled, accordingly. Claims 2 and 5 have been cancelled without prejudice or disclaimer. Claims 6-8 have been rewritten into independent form. Claim 10 has been amended to depend from Claim 6 and to recite a solvent for the polymer suitable for making an ink. Section 112 support for the amendment is found, for example, at page 9, lines 23-25 of the specification. Claim 11 has been amended to depend from Claim 6 and to recite a Markush group for “another polymer.” Section 112 support for the amendment is found, for example, at page 9, lines 16-22 of the specification. New Claim 15 has been added. Section 112 support for Claim 15 is found, for example, at page 6, lines 6-8 of the specification. No new matter has been added, and entry of the Amendment is respectfully requested.

Upon entry of the Amendment, Claims 1, 4, and 6-15 will be pending in the application.

In paragraph No. 3 of the Action, the Examiner acknowledges Applicants’ election of compound 2,7-bis-(4-methyl-4'-bromo-diphenylamino)-9,9-diptylfluorene, which is Example 2 at page 12 of the specification.

In the Response to Election of Species filed November 15, 2007, Applicants stated that Claims 1-14 are readable on the elected compound.

However, the Examiner asserts that only Claims 1-11 are readable on the elected compound, while Claims 12-14 are not dependent (per the Examiner, they include other limitations outside of the formula of Claim 1). Accordingly, Claims 12-14 are currently withdrawn from further consideration by the Examiner, as being drawn to non-elected inventions.

Applicants respectfully disagree.

Claims 12-14 require all the limitations of the formula in previous Claim 1 or Claim 5.

Therefore, the restriction is not proper and should be withdrawn.

In paragraph No. 6 of the Action, Claims 10 and 11 have been rejected under 35 U.S.C. §112, second paragraph, as allegedly being indefinite.

As noted, Claims 10 and 11 have been amended to address the Examiner's concern.

Withdrawal of the §112 rejection of Claims 10 and 11 is respectfully requested.

In paragraph No. 8(a) of the Action, Claims 1, 2 and 10 have been rejected under 35 U.S.C. §102(b) as allegedly being anticipated by Senoo et al, EP 953 624 A1 ("Senoo").

In paragraph No. 8(b) of the Action, Claims 1, 2, and 10 have been rejected under 35 U.S.C. 102(b) as allegedly being anticipated by Nakata et al, U.S. Pat. No. 5,932,383 ("Nakata").

Initially, Applicants submit that Claim 10 should not be included in the above two rejections, since Claim 10 depends from previous Claim 5, which is not subject to these two rejections. Previous Claim 5 relates to a polymer. Senoo and Nakata do not disclose the polymer. Further, Senoo and Nakata do not disclose or suggest the polymerization of the compounds thereof.

Claim 1 has been amended to incorporate the subject matter of Claim 3. Claim 3 is not subject to this rejection. Claim 2 has been cancelled.

In view of the above, reconsideration and withdrawal of the §102(b) rejections based on Senoo or Nakata are respectfully requested.

In paragraph No. 8(c) of the Action, Claims 5 and 10 have been rejected under 35 U.S.C. § 102(a) as allegedly being anticipated by Nakajima et al, JP 2003-316044 ("Nakajima").

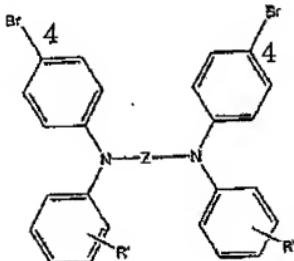
As noted, Claim 5 has been cancelled and Claim 10 has been amended to depend from Claim 6. Claim 6 is not subject to this rejection. Accordingly, reconsideration and withdrawal of the §102(a) rejection based on Nakajima are respectfully requested.

In paragraph No. 12 of the Action, Claims 3 and 4 have been rejected under 35 U.S.C. §. 103(a) as allegedly being unpatentable over JP 05-025473 to Takuma Hirosuke (English translation is provided, “JP ‘473”).

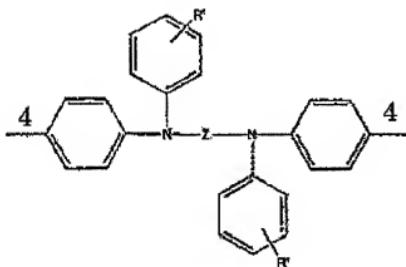
Applicants submit that this rejection should be withdrawn because JP ‘473 does not disclose or render obvious the present invention.

The Examiner contends that the only difference between the compounds of instant Claims 3 and 4 and compound (8) in paragraph [0032] of JP ‘473 is the presence of chlorine instead of bromine on the 4-position of the phenyl rings. Therefore, the Examiner asserts, absent a showing of unobvious and superior properties, the instant claimed monomers of Claims 3 and 4 would have been suggested to one skilled in the art.

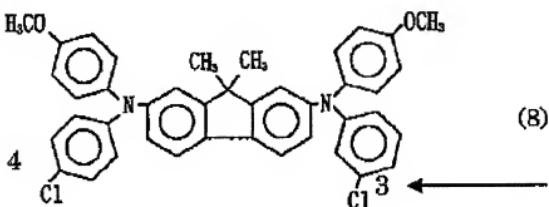
Claims 3 and 4 specify monomers having Br atoms at 4-positions of both phenyl rings as shown below:



By polymerizing this monomer, the preferable polymers of the present invention shown below can be obtained (pages 6 and 7 of the Specification). These polymers are useful as an electroluminescent (EL) material.



In contrast, compound (8) in JP '473 is a compound which has a Cl atom at 3-position of one phenyl ring and a Cl atom at 4-position of another phenyl ring. The substituents (Cl vs. Br) are different and further the positions of the substituents are different. Accordingly, even the monomer in JP '473 is polymerized, the preferred polymer of the present invention can not be synthesized.



Further, although JP '743 discloses the use of compound (8) as a material of the organic EL material, JP '743 does not disclose or suggest the polymerization of compound (8) and the application of the polymerized compound as an EL material.

Accordingly, Claims 3 (now incorporated into Claim 1) and 4 are not obvious and are patentable over JP '473. Reconsideration and withdrawal of the §103(a) rejection based on JP '473 are respectfully requested.

In paragraph No. 13 of the Action, Claims 6-9 have been objected to as being dependent on rejected based claims. In a telephone conversation with the Examiner on January 24, 2008, the Examiner confirmed that Claims 6-9 would be allowable if rewritten in independent form.

As noted, Claims 6-8 have been rewritten into independent form. Claim 9 depends from Claim 8. Withdrawal of the objection to Claims 6-9 is respectfully requested.

New Claim 15 is patentable over the cited references for at least the same reasons that Claim 1 is patentable over the cited references.

Allowance is respectfully requested. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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